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**HAMRE, SCHUMANN,  
MUELLER & LARSON, P.C.**

AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

FAX TRANSMISSION August 29, 2005

TO: Mail Stop: AMENDMENT  
Examiner: G. PATEL  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

FROM: Douglas P. Mueller

OUR REF: 10873.0647USC1

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Total pages, including cover letter: 4

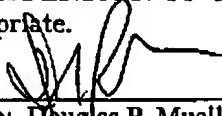
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Title of Document: **RESPONSE TO RESTRICTION REQUIREMENT  
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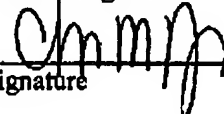
Applicant: NAGATA  
Serial No.: 10/848,756  
App. Filed: May 19, 2004  
Group Art No.: 2655

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S/N 10/848,756

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	NISHIUCHI, ET AL	Examiner:	G. PATEL
Serial No.:	10/848,756	Group Art Unit:	2655
Filed:	May 19, 2004	Docket No.:	10873.0647USC1
Title:	OPTICAL INFORMATION RECORDING MEDIUM, METHOD OF MANUFACTURING THEREOF, AND METHOD OF RECORDING AND REPRODUCTION		

CERTIFICATE UNDER 37 CFR 1.6(d):I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on August  
29, 2005.By:   
Name: Chieko Rogers

Mail Stop: AMENDMENT  
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P.O. Box 1450  
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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction of Species Requirement of August 3, 2005, it is noted that Claims 1-23 are considered pending in the application and therefore an election of species is required. Applicants respectfully remind the Examiner that Claims 3, 5, 7-11 and 13-23 were canceled in the Preliminary Amendment filed with the Application. Applicants believe this election of species requirement is rendered moot by the cancellation of the noted Claims.

In the event that a further election is required, Applicants elect Species a. (Figs. 1-5, Claims 1, 2, 4 and 6).

An early and favorable action on the merits is requested.



Dated: August 29, 2005

Respectfully submitted,

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